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Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN:	409-13216-2811-058	Date:	08-11-09	Time:	0950
Location:	[redacted] N. Dwight				
City or Station:	Compton				
Bureau/Station/Facility:	FOR II - Compton Station	Admin. Investigation: YES ☐ NO ☒			

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Luther	Michael	
[redacted]	Dearborn	Karen	
[redacted]	Ingresso	Romeo	

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Octave	Charmichael		Sgt.	YES ☒ NO ☐	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Vargas	Richard	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Saucedo	Henry	

Watch Commander's Signature: ____________________ Emp #: __________

Copy Provided to Employee by: ____________________ Emp #: __________

Supervisor Completing Form: Sergeant Carlos Flores (Print) Emp #: [redacted]

Unit Commanders Signature: ____________________ Emp #: __________ Date Signed: __________

PSTD Use Only

FO# 2248589

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

See Reverse

Super[illegible]isor's Report on Use of F[illegible]rce

URN: 409-13216-2811-058

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	PK, PH	NN	NN
S#1	E#2	PK, PH	NN	NN
S#1	E#3	PK, PH	NN	NN
S#1	E#4	PK, PH	NN	NN
E#1	S#1	PH	FR BR	FA, NO
E#2	S#1	TR	LC	AD
E#3	S#1	PH	FR BR	FA, NO
E#4	S#1	PH	FR BR	FA, NO
E#5	S#1	HB	NN	NN

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 409-13216-2811-058

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Belville	Seth	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	White	Compton	282

Shift		Age	Height	Weight
☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	511	205

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case #	Directed Force / Significant Force
☒			Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	White	Compton	284A

Shift		Age	Height	Weight
☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	601	190

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	Gonzalez	Fernando	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	Hispanic	Compton	287A

Shift		Age	Height	Weight
☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	510	195

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☒			Directed Force ☐ Significant Force ☒

E4

Employee #	Last Name	First Name	Middle Name
[redacted]	Boese	Eugene	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	Hispanic	Compton	282T2

Shift		Age	Height	Weight
☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	508	165

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E5

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	White	Compton	287A

Shift		Age	Height	Weight
☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	509	155

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

See Other Side

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 409-13216-2811-058

Suspect Information

S_

Last Name: Rodriguez | First Name: Miguel | Middle Name: Flores

AKA Last Name: | First Name: | Middle Name:

Sex: ☒ Male ☐ Female | Race: Hispanic | Street Address: [redacted] | City: [redacted] | State & Zip Code:

Work Phone: | Home Phone: | Age: 31 | Height: 506 | D.O.B. 05-14-78 | Weight: 140 | Armed? ☐

Booking #: 2015855 | Primary Charge: 245(c)PC | Secondary Charge: 459 PC | Criminal Histor[redacted]

Hospital Admission? ☒ | Rec'd Treatment At: Coast Plaza Hospital | Coroner Case#: | Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: unknown | Photos of Suspect's Injuries ☒ YES ☐ NO

Suspect Interview

Date: 08-11-09 | Time: 1000 hrs. | Audiotape: ☒ | Videotape: ☒

Suspect Information

S_

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge: | Secondary Charge: | Criminal History ☐

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case#: | Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: | Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date: | Time: | Audiotape: ☐ | Videotape: ☐

Suspect Information

S_

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge: | Secondary Charge: | Criminal History ☐

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case#: | Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: | Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date: | Time: | Audiotape: ☐ | Videotape: ☐

Supervisor's Report on Use of Force

URN: 409-13216-2811-058

Non-Employee Witnesses (Continuation)

Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

SIGNIFICANT FORCE INCIDENT EVALUATION

UNIT: Compton Station
DATE: August 11, 2009
TIME: 0950 hours
LOCATION: [redacted] North Dwight Avenue, Compton, CA 90220
URN#: 409-13216-2811-058
IAB#: FO2248589

NATURE OF INCIDENT:

On Tuesday, August 11, 2009, at approximately 0730 hours, Deputies Monica Kennedy and Javier Cruz (Unit 283) received a call of a possible trespass in progress, Tag 38. The call stated that a Hispanic male was seen attempting to enter via the rear of a vacant residence located at [redacted]

> **IAB Note:** A copy of the Incident History Report for Tag 38 is included in this case book. See the **Miscellaneous Documents** section. Photographs of [redacted] are also included. See **Exhibit F, Numbers 1 and 2.**

The deputies responded to the location and detained a male, later identified as Suspect Miguel Rodriguez. The deputies conducted a pat down search of the suspect and began to escort him to their patrol unit. The suspect suddenly broke free of Deputy Kennedy's grasp and began running north on Dwight Avenue.

The deputies notified assisting units that the suspect had run from them. Several assisting units and an Aero Bureau helicopter (Air 7) began to respond. Suspect Rodriguez began traveling east, running through yards and on the roofs of several residences. Suspect Rodriguez approached the residence located at [redacted] and forced his way into the home via the locked side door. The deputies were advised by the home owner that the suspect was inside their home, with their two-year-old [redacted]

> **IAB Note:** Photographs of [redacted] are included in this case book. See **Exhibit F, Numbers 3 and 4**.

The deputies made entry into the location, and Suspect Rodriguez exited the home. Suspect Rodriguez began running in a southeast direction, through yards and on roof tops. The Aero unit observed the suspect, and began assisting the deputies in order to contain the area, and capture the suspect.

Suspect Rodriguez entered a home located in the rear yard of [redacted] There were three [redacted] inside the home when the suspect forced his way in. Deputies knocked on the front door of the home, and entered. As the deputies entered the home, Suspect Rodriguez exited through the kitchen window. Suspect Rodriguez began running west towards Dwight Avenue.

IAB Note: Photographs of [redacted] are included in this case book. See **Exhibit F, Numbers 5 and 6**.

Suspect Rodriguez entered the rear yard of the residence located at [redacted] North Dwight Avenue. As he attempted to exit the yard, he was confronted by Deputy Seth Belville. Deputy Belville ordered the suspect to get down on the ground, but the suspect refused. Suspect Rodriguez took a combative stance and attempted to strike Deputy Belville.

Deputy Belville took hold of the suspect and took him down to the ground. Suspect Rodriguez began to struggle and swing his fists at Deputy Belville. Defending himself, Deputy Belville struck the suspect several times with his fists. Several deputies responded and assisted Deputy Belville.

Suspect Rodriguez continued to struggle and resist the deputies' efforts to take him into custody. The deputies utilized personal weapons and a TASER in order to finally subdue Suspect Rodriguez. Due to Suspect Rodriguez' kicking, a Hobble Restraint was also utilized by Deputy [redacted] Suspect Rodriguez was taken into custody without further incident.

IAB Note: During the incident three radio frequencies were utilized; Dispatch 9, Local Tactical 5 (L-Tac), and Area Tactical 4 (A-Tac). A Compact Disk containing the radio traffic during this incident is included in this case book. See **Exhibit H**. The TASER data is also included in this case book. See **Exhibit J**.

Deputy Kennedy authored an Incident Report (**Exhibit A**), and the assisting deputies wrote Supplemental Reports (**Exhibit B**). Compton Field Sergeant Michael Octave authored an Office Correspondence addressed to Captain Diane Walker, detailing the incident and his actions (**Exhibit B**).

[redacted] Detective [redacted] interviewed the residents at [redacted] and [redacted] He also interviewed Suspect Rodriguez, who agreed to speak him without representation. Detective [redacted] summarized the interviews on a Supplemental Report.

IAB Note: Detective [redacted] Case Tracking Report, which includes his Supplemental Report, is included in this case book. See **Exhibit C**.

The deputies summoned for paramedics and they arrived and treated the suspect's injuries. Suspect Rodriguez was subsequently transported to Coast Plaza Hospital in Norwalk, where it was determined that he had sustained a fractured cheek bone (Zygomatic Arch).

Internal Affairs Bureau Lieutenant Rod Kusch was notified, and he and Sergeants Carlos Flores and Eric Strong responded to Compton Station to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

INVOLVED PERSONNEL:

Belville, Seth - Deputy Sheriff, Employee #[redacted]
Compton Station
Patrol, Field Operations Region II

Date of Employment: 11-02-2000
Date Assigned to Unit: [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] - Deputy Sheriff, Employee #[redacted]
Compton Station
Patrol, Field Operations Region II

Date of Employment: 04-19-2001
Date Assigned to Unit: [redacted]
Prior Founded Force Incidents: [redacted]

Gonzalez, Fernando - Deputy Sheriff, Employee #[redacted]
Compton Station
Patrol, Field Operations Region II

Date of Employment: 09-17-2000
Date Assigned to Unit: [redacted]
Prior Founded Force Incidents: [redacted]

Boese, Eugene - Deputy Sheriff, Employee #[redacted]
Compton Station
Patrol, Field Operations Region II
Date of Employment: 01-17-2002
Date Assigned to Unit: [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] - Deputy Sheriff, Employee #[redacted]
Compton Station
Patrol, Field Operations Region II

Date of Employment: 06-13-2000
Date Assigned to Unit: [redacted]
Prior Founded Force Incidents: [redacted]

INVOLVED SUSPECT:

Rodriguez, Miguel

Sex:	Male
Race:	Hispanic
Date of Birth:	May 14, 1978
Charge:	245© PC, 459 PC, 594(b)(1) PC, 210.5 PC, 69 PC
Injury:	Fracture to cheek bone, multiple lacerations and scratches on arms, legs, back.

The Consolidated Criminal History System [redacted] that Suspect Rodriguez [redacted] The record also indicates that Suspect Rodriguez is a "Compton Varrio Setentas" gang member.

IAB Note: A copy of Suspect Rodriguez' criminal history is included in this report. See **Exhibit D**.

DEPUTY WITNESSES:

Luther, Michael - Deputy Sheriff #[redacted]

Dearborn, Karen - Deputy Sheriff #[redacted]

Ingresso, Romeo - [redacted]

NON-DEPARTMENT WITNESSES:

[redacted] MO/40, D.O.B. [redacted], [redacted]

INVOLVED EMPLOYEE STATEMENTS:

Seth Belville [redacted] was interviewed on September 14, 2009, at 1010 hours, by Internal Affairs Bureau Sergeants Carlos Flores and Eric Strong. Deputy Belville was represented by Attorney Mitch Kander of the Law Offices of Green and Shinee. The interview was digitally audio recorded.

Deputy Belville said he authored a Supplemental Report documenting the event and his actions (**Exhibit B**). He said his report is a full, complete and accurate account of the incident.

Deputy Belville said that while on a containment position, he saw the suspect walking south along the rear fence of [redacted] He said the suspect jumped into the rear yard of [redacted] North Dwight Avenue. Deputy Belville said he entered the rear yard of [redacted] and climbed over the fence and into the rear yard of [redacted] North Dwight Avenue.

Deputy Belville said he confronted the suspect and ordered him down to the ground. He said the suspect refused to comply, and instead attempted to strike him with his right fist. Deputy Belville said he took the suspect down to the ground, at which point the suspect began to swing his fists. Deputy Belville said he struck the suspect several times on the face and upper torso, utilizing his fists.

Deputy Belville said he was assisted by several other deputies, who utilized personal weapons and a TASER in order to subdue to suspect. He said the suspect was finally taken into custody without further incident. Deputy Belville said he saw the suspect bleeding prior to having physical contact with him. He said the suspect might have sustained the facial fracture while jumping from rooftops. Deputy Belville said it was also possible that his, and the other deputies' force caused the injury.

Refer to Deputy Belville's verbatim interview transcript in this case book, and his Supplemental Report, for further details.

Deputy [redacted] # [redacted] was interviewed on September 16, 2009, at 1044 hours, by Internal Affairs Bureau Sergeants Carlos Flores and Eric Strong. Deputy [redacted] was represented by Attorney Mitch Kander of the Law Offices of Green and Shinee. The interview was digitally audio recorded.

Deputy [redacted] said he authored a Supplemental Report documenting the event and his actions (**Exhibit B**). He said his report is a full, complete and accurate account of the incident.

Deputy [redacted] said that while on containment, he saw the suspect jump into the yard of [redacted] North Dwight Avenue. He said he ran to that location and saw the suspect involved in a physical confrontation with several deputies. He said he heard the deputies shouting commands to the suspect to stop fighting, but the suspect would not comply.

Deputy [redacted] said he approached and advised the deputies that he had a TASER, and that he was going to deploy it on the suspect. He said he removed the cartridge and initiated a "drive stun" on the suspect. He said the TASER was ineffective, as the suspect continued to struggle.

Deputy [redacted] said that deputies were finally able to take the suspect into custody, without further incident. He said that the suspect's facial fracture could have been caused when he was running and "jumping over things." Deputy [redacted] said that during the incident he saw Deputy Gonzalez and Deputy Belville punch the suspect, which could have also caused the injury.

Refer to Deputy [redacted]s verbatim interview transcript in this case book, and his Supplemental Report, for further details.

Deputy Fernando Gonzalez [redacted] was interviewed on September 16, 2009, at 1115 hours, by Internal Affairs Bureau Sergeants Carlos Flores and Eric Strong. Deputy Gonzalez was represented by Attorney Mitch Kander of the Law Offices of Green and Shinee. The interview was digitally audio recorded.

Deputy Gonzalez said he authored a Supplemental Report documenting the event and his actions (**Exhibit B**). He said his report is a full, complete and accurate account of the incident.

Deputy Gonzalez said that he was on a containment position, when he saw the suspect enter the yard of [redacted] North Dwight Avenue. He said the suspect was then confronted by Deputy Belville. Deputy Gonzalez said he saw the suspect take a combative stance and attempt to strike Deputy Belville with his fist. He said Deputy Belville took the suspect down to the ground, and the suspect began to fight.

Deputy Gonzalez said he saw Deputy Belville strike the suspect on his face and upper torso several times with his fists. He said the suspect continued to fight. Deputy Gonzalez said he approached and also struck the suspect several times on his face and upper torso with his fists. He said the suspect continued to swing his fists and kick his legs.

Deputy Gonzalez said he heard Deputy [redacted] announce that he was going to deploy the TASER on the suspect, and a "drive stun" was initiated. He said the TASER had no effect, as the suspect continued to struggle. Deputy Gonzalez said that the suspect finally gave up, due to the arrival of additional deputies.

Deputy Gonzalez said he saw blood on the suspect's face, prior to having any contact with deputies. He said he does not know how the suspect sustained the facial fracture, but he reiterated that he did strike the suspect's face with his fist. Deputy Gonzalez said that he did not utilize his ASP tactical baton or Oleoresin Capsicum spray due to the close proximity of the other deputies.

Refer to Deputy Gonzalez' verbatim interview transcript in this case book, and his Supplemental Report, for further details.

Deputy Eugene Boese #[redacted] was interviewed on September 14, 2009, at 1040 hours, by Internal Affairs Bureau Sergeants Carlos Flores and Eric Strong. Deputy Boese was represented by Attorney Mitch Kander of the Law Offices of Green and Shinee. The interview was digitally audio recorded.

Deputy Boese said he authored a Supplemental Report documenting the event and his actions (**Exhibit B**). He said his report is a full, complete and accurate account of the incident.

Deputy Boese said he was on a containment position when he heard shouts coming from [redacted] North Dwight Avenue. He said he responded, and saw Deputies Gonzalez and Belville involved in a struggle with Suspect Rodriguez. Deputy Boese said he saw the suspect kicking and swinging his fists.

Deputy Boese said he responded and punched the suspect twice on the left side of his face. He said the suspect was handcuffed shortly afterward. Deputy Boese said he did not know until later that the suspect had been restrained with a Hobble restraint. He said that during the incident he heard the TASER, but did not see when it was used. Deputy Boese said that the suspect might have sustained the facial fracture when he punched him in the face. He said he did not utilize his baton or Oleoresin Capsicum spray due to the close proximity of the other deputies.

Refer to Deputy Boese's verbatim interview transcript in this case book, and his Supplemental Report, for further details.

Deputy [redacted] **#**[redacted] was interviewed on September 14, 2009, at 1136 hours, by Internal Affairs Bureau Sergeants Carlos Flores and Eric Strong. Deputy [redacted] was represented by Attorney Mitch Kander of the Law Offices of Green and Shinee. The interview was digitally audio recorded.

Deputy [redacted] said he authored a Supplemental Report documenting the event and his actions (**Exhibit B**). He said his report is a full, complete and accurate account of the incident.

Deputy [redacted] said that while on containment, he saw the suspect fall off of a roof and into the back yard of [redacted] North Dwight Avenue. He said he responded to that location and saw the suspect attempting to strike Deputy Belville. Deputy [redacted] said he saw Deputy Belville take the suspect down to the ground, at which point a fight ensued.

Deputy [redacted] said he saw Deputy Belville and Deputy Gonzalez strike the suspect in the face and upper torso, utilizing their fists. He said the force had little effect, as the suspect continued to fight. Deputy [redacted] said he saw Deputy [redacted] use a TASER to "drive stun" the suspect on the upper torso, but this too had very little effect. Deputy [redacted] said the suspect continued kicking and swinging his fists. He said he placed the Hobble restraint around the suspect's ankles, which caused the suspect to quit kicking. He said the deputies were then able to handcuff the suspect, without further incident.

Deputy [redacted] said the suspect might have sustained the facial fracture when he was punched by the deputies.

Refer to Deputy [redacted] verbatim interview transcript in this case book, and his Supplemental Report, for further details.

SUSPECT'S STATEMENTS:

Suspect Rodriguez was interviewed by the Compton Station Watch Commander, Lieutenant Henry Saucedo, and Field Sergeant Michael Octave, shortly after his arrest. The interview was conducted at the scene, and was video recorded.

Suspect Rodriguez said he was picking up oranges from an abandoned home, when he was stopped and detained by deputies. Suspect Rodriguez said he ran from the deputies because he was afraid of being arrested and deported to Mexico. Suspect Rodriguez said he was in the United States illegally.

Suspect Rodriguez said he did not fight with the deputies when they caught him. He said the deputies struck him with their fists and kicked him several times.

> **IAB Note**: A Compact Disk, containing Suspect Rodriguez' interview, is included in this report. See **Exhibit I**.

DEPARTMENT WITNESS STATEMENTS:

Michael Luther, Deputy #[redacted]

Deputy Luther has been assigned to the Aero Bureau for 10 years, as a helicopter pilot. He and his partner, Deputy Karen Dearborne, were on-duty on August 11, 2009 (Unit Air 7). Deputy Luther was interviewed by Internal Affairs Sergeant Carlos Flores on Tuesday, August 18, 2009, at approximately 1044 hours. The interview was conducted at the Aero Bureau, and was digitally audio recorded.

Deputy Luther said he heard a female deputy on the radio, stating that somebody had ran from her. He said he began flying the helicopter to the area and continued monitoring the radio. Upon their arrival they were advised of what had occurred and they began flying over the area, looking for the suspect.

Deputy Luther said they observed the suspect running through back yards and climbing up on roofs. He said the suspect fell several times while running through the neighborhood. Deputy Luther said his partner was directing the deputies on the ground to take containment positions. He said the containment was constantly shifting due to the suspect's movements. Deputy Luther said that at no time did he see the ground deputies engaged in a foot pursuit of the suspect.

Deputy Luther said the operation took approximately 45 minutes, and culminated when the ground deputies took the suspect into custody. He said he observed the suspect jump into a backyard where a deputy had taken a containment position. Deputy Luther said he observed the suspect confront the deputy, and the deputy took hold of him and took him down to the ground.

Deputy Luther said it appeared that a struggle ensued between the deputy and the suspect, but due to the helicopter's height and speed, he was unable to clearly see what was occurring. He said he saw additional deputies run into the backyard to assist, and eventually take the suspect into custody.

> **IAB Note:** Deputy Luther did not write a Supplemental Report regarding this incident and the helicopter was not equipped with a video recording device.

Karen Dearborn, Deputy #[redacted]

Deputy Dearborn has been assigned to the Aero Bureau, as an observer, for five years. She and her partner, Deputy Luther, were on duty on August 11, 2009 (Unit Air 7). Deputy Dearborn was interviewed by Internal Affairs Sergeant Carlos Flores on Tuesday, August 18, 2009, at approximately 1100 hours. The interview was conducted at the Aero Bureau, and was digitally audio recorded.

Deputy Dearborn said they responded to the Compton Station area due to a request for backup. She said that upon their arrival they determined that a suspect had ran from deputies. Deputy Dearborn said that she saw the suspect running through several yards, and she began directing the deputies to containment positions. Deputy Dearborn said she did not see the ground deputies engaged in a foot pursuit of the suspect.

Deputy Dearborn said the suspect climbed and ran on several roofs and yards. She said she saw the suspect fall several times prior to coming into contact with the deputies. Deputy Dearborn said the containment was constantly shifting due to the suspect's movements.

Deputy Dearborn said the suspect eventually entered a yard where a deputy had taken a containment position. She said she saw the suspect struggle with the deputy when the deputy attempted to take him into custody. Deputy Dearborn said she saw several deputies enter the yard and assist the deputy. She said she was unable to see what type of force the deputies were using on the suspect.

> **IAB Note:** Deputy Dearborn did not write a Supplemental Report regarding this incident.

Romeo Ingresso [redacted]

Deputy Ingresso is assigned to the Department's Special Enforcement Bureau, Canine Services Detail. Deputy Ingresso responded to the location and assisted in searching for the suspect. He was interviewed by Internal Affairs Bureau Sergeant Carlos Flores on September 10, 2009, at 0840 hours. The interview was digitally audio recorded.

Deputy Ingresso authored a Supplemental Report detailing his actions and observations (**Exhibit B**). He said his report is a full, complete and accurate account of the incident.

Deputy Ingresso said he responded to the location due to the call for assistance. He said that while on containment, he saw the suspect enter the rear yard of [redacted] North Dwight Avenue. He said he saw Deputy Belville confront the suspect, at which point the suspect attempted to strike Deputy Belville.

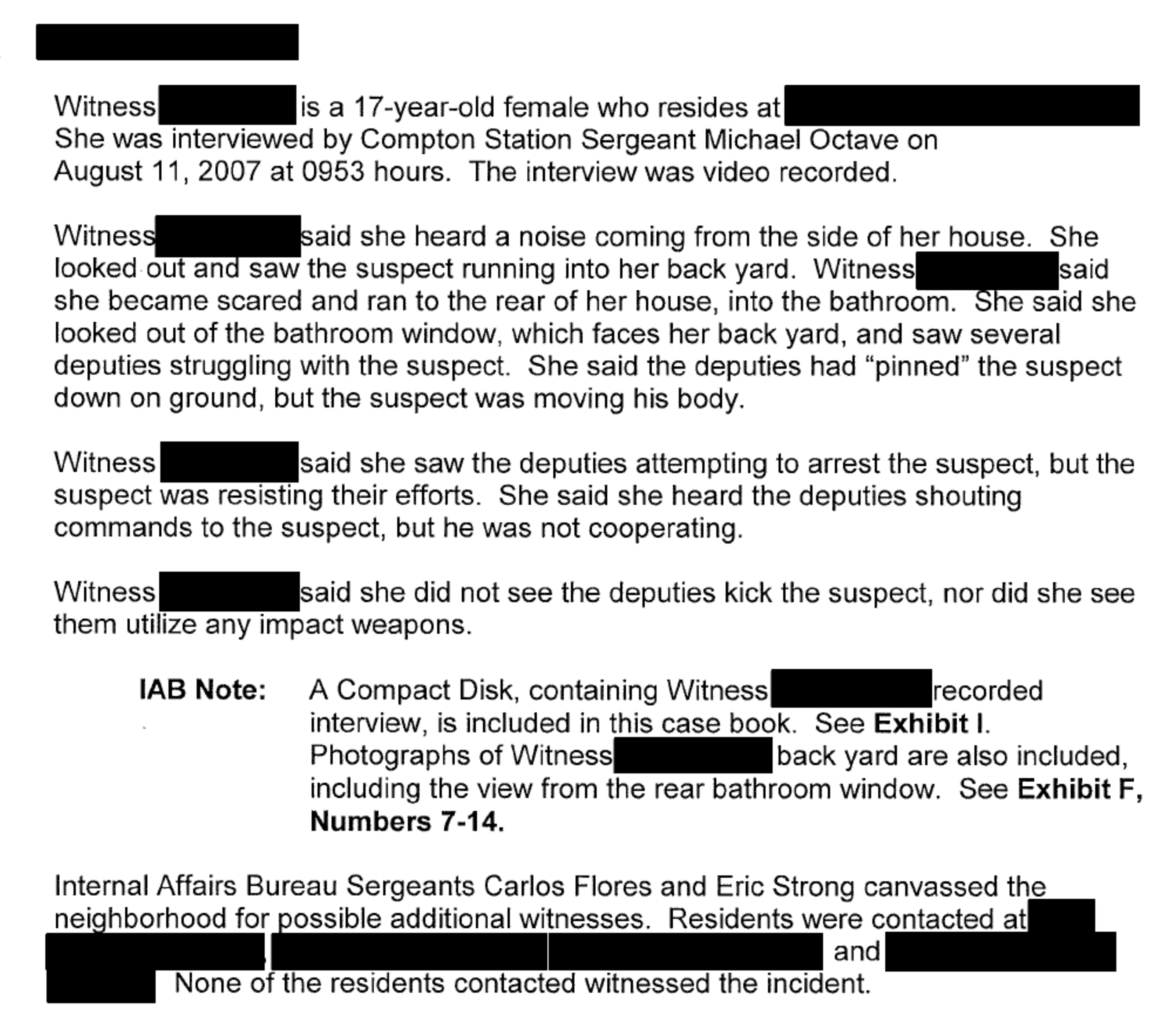
Deputy Ingresso said he quickly went to Deputy Belville's aid. As he approached he saw that the suspect was swinging is fists wildly at Deputy Belville, while they were both on the ground. Deputy Ingresso said he saw Deputy Belville strike the suspect several times in the upper torso and face, utilizing his fists.

Deputy Ingresso said he attempted to grab the suspect's upper torso in order to keep him down, but his rifle and sling began to slide off of his shoulder. He said that he immediately let loose of the suspect, in fear that the suspect would take hold of the

rifle. Deputy Ingresso said that other deputies immediately responded, and assisted Deputy Belville. Deputy Ingresso said he was uncertain as to the force that was utilized by the assisting deputies.

Refer to Deputy Ingresso's Supplemental Report and interview transcript for additional information.

NON-DEPARTMENT WITNESS STATEMENTS:



[redacted]

Witness [redacted] is a 17-year-old female who resides at [redacted] She was interviewed by Compton Station Sergeant Michael Octave on August 11, 2007 at 0953 hours. The interview was video recorded.

Witness [redacted] said she heard a noise coming from the side of her house. She looked out and saw the suspect running into her back yard. Witness [redacted] said she became scared and ran to the rear of her house, into the bathroom. She said she looked out of the bathroom window, which faces her back yard, and saw several deputies struggling with the suspect. She said the deputies had "pinned" the suspect down on ground, but the suspect was moving his body.

Witness [redacted] said she saw the deputies attempting to arrest the suspect, but the suspect was resisting their efforts. She said she heard the deputies shouting commands to the suspect, but he was not cooperating.

Witness [redacted] said she did not see the deputies kick the suspect, nor did she see them utilize any impact weapons.

> **IAB Note:** A Compact Disk, containing Witness [redacted] recorded interview, is included in this case book. See **Exhibit I.** Photographs of Witness [redacted] back yard are also included, including the view from the rear bathroom window. See **Exhibit F, Numbers 7-14.**

Internal Affairs Bureau Sergeants Carlos Flores and Eric Strong canvassed the neighborhood for possible additional witnesses. Residents were contacted at [redacted] and [redacted] None of the residents contacted witnessed the incident.

SUSPECT'S INJURIES:

Suspect Rodriguez was transported to Coast Plaza Hospital, located at 13100 Studebaker Road, Norwalk. He was treated by Emergency Room Doctor Mahmoud Nemazee.

Suspect Rodriguez sustained a fracture of the left Zygomatic Arch (Cheek bone). He also sustained a Nasal fracture, as well as abrasions on his face, back and chest. Doctor Nemazee told Sergeant Octave that the suspect's injuries were consistent with the force reported by the involved deputies.

> **IAB Note:** Copies of Suspect Rodriguez' medical diagnoses record, and photographs of his injuries are included in this case book. See **Exhibit E**.

DEPUTY PERSONNEL:

Deputy Belville sustained a swollen right hand and he complained of pain to his left knee. Deputy Belville was medically treated at US Healthworks in Carson.

Deputy Gonzalez sustained a sprained right middle finger. He was medically treated at US Healthworks in Carson.

PHYSICAL EVIDENCE:

No physical evidence was collected at the scene. However, photographs of the scene were taken and are included in this case book (**Exhibit F**).

INVESTIGATORS OBSERVATIONS:

Internal Affairs Bureau Sergeants Flores and Strong responded to the scene several hours after the incident. The scene is a residential neighborhood, made up of single-family homes and duplexes. Several photographs of the scene were taken and are included in this case book **(Exhibit F)**. Area and neighborhood maps are also included **(Exhibit G)**.

WEAPONS USED BY DEPUTY PERSONNEL:

Personal weapons, hands, TASER, Hobble Restraint.

WEAPONS USED BY SUSPECTS:

Personal weapons, hands, feet.

PROPERTY DAMAGE:

None

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator: Detective [redacted] #[redacted], [redacted] Detective Bureau
Court: Compton Court
Charges Filed: 245(c) PC, 459 PC, 594(b) PC, 210.5 PC, 69 PC

IAB Note: A preliminary hearing was scheduled for September 11, 2009. Case Number TA107902.

WEATHER CONDITIONS AND LIGHTING CONDITIONS:

The incident occurred on a clear morning at 0950 hours.